



**CTIA**

*Building The Wireless Future*

Cellular Telecommunications Industry Association

October 30, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
12<sup>th</sup> Street Lobby, TW-A325  
Washington, DC 20554

Re: *Ex Parte Presentation*  
CC Docket No. 96-45

Dear Ms. Dortch:

On October 29, 2003, Christopher Day, Staff Counsel and Diane Cornell, Vice President for Regulatory Policy, Cellular Telecommunications & Internet Association; Mark Rubin, Western Wireless; David Sieradzki, Hogan & Hartson, LLP, representing Western Wireless; Laura Phillips, Drinker, Biddle & Reath, LLP, representing Nextel Communications; Peter Connolly, Holland & Knight, LLP, representing U.S. Cellular; Albert Catalano, Catalano & Planche, PLLC, representing Nextel Partners; and Wendy Creeden, Swidler Berlin Shereff Friedman, LLP, representing Corr Wireless, met with William Maher, Chief, Wireline Competition Bureau; Carol Matthey, Deputy Chief, Wireline Competition Bureau; Paul Garnett, Legal Counsel to the Chief, Wireline Competition Bureau; Rodger Woock, Chief Economist, Wireline Competition Bureau; Eric Einhorn, Chief, Telecommunications Access Policy Division, Wireline Competition Bureau; and William Scher, Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. During the meeting, the parties discussed the ongoing Federal-State Joint Board on Universal Service ("Joint Board") proceeding that is studying the Commission's rules relating to high cost universal service support and the designation process for eligible telecommunications carriers ("ETCs").

I began the discussion by noting that much of the recent growth in high cost support has come from rural LECs – not wireless ETCs – and urged that any changes to the rules relating to high cost support comport with Section 254 of the 1996 Act, which mandates competitive neutrality. A copy of a chart prepared by CTIA, along with a copy of CTIA's May 5, 2003, comments to the Joint Board were also distributed.

The industry participants also discussed the universal service-related activities of their respective companies, the importance that universal funding has played in terms of wireless network build-out and infrastructure, and the benefits this has brought to rural consumers.



Next, Mr. Rubin, Mr. Sieradzki discussed the problems with imposing a "primary line" restriction on high-cost funding. Mr. Rubin and Mr. Sieradzki detailed possible alternatives to primary line restrictions, including a per-line cap on high costs support when a competitive eligible telecommunications carrier ("CETC") enters a market or a cap on the amount of funds received throughout a study area when a CETC enters a market. Mr. Rubin and Mr. Sieradzki also distributed a summary of these and other Western Wireless proposals.

Finally, members of the group reviewed ideas for acceptable ways to reform the ETC designation process. Both Western Wireless and Nextel Partners distributed bullet point summaries relating to their proposals. During this discussion, the participants noted that designation of wireless ETCs advances the public interest by providing consumers with new services, technological innovations and better customer service. Accordingly, the participants urged the Commission to adopt careful reforms to ensure that state commissions and the FCC, where applicable, grant ETC designations in a fair and timely manner.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter, along with all of the materials distributed at the meeting, is being filed, via ECFS, with your office. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Day", with a long horizontal flourish extending to the right.

Christopher R. Day

Attachments

cc: William Maher  
Carol Matthey  
Paul Garnett  
Eric Einhorn  
William Scher  
Rodger Woock